



Docket No.: PF-0221-3 DIV

AFB
1682

Response Under 37 C.F.R. 1.116 – Expedited Procedure
Examining Group 1652

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 23, 2003.

By: [Signature] Printed: Lisa McDill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Lal et al.

Title: POLYNUCLEOTIDES ENCODING A HUMAN SODIUM-DEPENDENT PHOSPHATE
COTRANSPORTER (As Amended)

Serial No.: 09/991,212

Filing Date: November 16, 2001

Examiner: Steadman, D.

Group Art Unit: 1652

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Limited Recognition (1 pg.);
3. Reply Brief (19 pp., in triplicate);
4. Request for Oral Hearing (1 pg.); and
5. Request for Withdrawal as Practitioner of Record (1 pg.).

The fee has been calculated as follows:

<input checked="" type="checkbox"/> Fee for Request for Oral Hearing under 37 C.F.R. § 1.17(d):	\$ 290.00
<input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0108 the amount of:	\$ <u>290.00</u>

The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.16 and § 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
INCYTE CORPORATION

Date: December 23, 2003

[Signature]
Terence P. Lo
Limited Recognition (37 C.F.R. 10.9 (b)) attached
Direct Dial Telephone: (50) 621-8581

Cust mer No.: 27904
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555 or Fax: (650) 849-8886

Doc No. 118037

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09/991,212



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**


LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Terence P. Lo is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Incyte Corporation to prepare and prosecute patent applications wherein Incyte Corporation is the assignee of all right, title and interest in the invention claimed in the application. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below:

(i) Terence P. Lo ceases to lawfully reside in the United States, (ii) Terence P. Lo's employment with Incyte Corporation ceases or is terminated, or (iii) Terence P. Lo ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: November 10, 2004



Harry I. Moatz
Director of Enrollment and Discipline



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In re Application of: Lal et al.

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PHOSPHATE COTRANSPORTER (As Amended)

Serial No.: 09/991,212 Filing Date: November 16, 2001

Examiner: Steadman, D. Group Art Unit: 1652

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL AS PRACTITIONER OF RECORD

Sir:

In the above-referenced patent application, please withdraw me as a practitioner of record having Limited Recognition under 37 C.F.R. § 10.9(b), effective December 24, 2003. As of this date, any communication concerning the instant application may be directed to Diana Hamlet-Cox, Vice President of Intellectual Property for Incyte Corporation. Dr. Hamlet-Cox may be reached at the address below, or at phone number (650) 845-4639.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

Respectfully submitted,

INCYTE CORPORATION

Date: December 23, 2003

[Signature]
Terence P. Lo
Limited Recognition (37 C.F.R. 10.9 (b)) attached
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